

Application No.: 09/364,731
Amendment dated: April 15, 2004
Reply to Office Action of: October 24, 2003

REMARKS

This amendment is responsive to the Office Action dated October 24, 2003.

Claims in this case remain 29, 33, 35-39, 43 and 45-48, all of which were rejected on the basis of 35 U.S.C § 112. Some cosmetic changes have been made to the claims including the deletion of the term "travel" from claim 29. Again, the similarity of the claims herein with those of Applicant's co-pending Application Serial No. 09/346,675 (filed July 30, 1999) is noted. Reconsideration of the case is respectfully requested in view of the present form of the claims and the following comments.

(A) **"switching station"**

All of the claims are rejected on the basis of 35 U.S.C. § 112 in relation to the "switching station including a switch processor---and a switching computer means" stated in the Office Action to be based solely on the structure of Applicant's "switch 21". Actually, Applicant contends that the structure is met, not by the "switch 21" alone; but, by "the interface 20 and the switch 21" (see Applicant's Amendment filed December 26, 2002, page 12, penultimate line). The operation, with processing, is detailed in that portion of the referenced amendment.

(B) **"travel card"**

A review of the claims indicated the appearance of the term "travel" only in claim 29 which was an oversight. The term has been removed from the claim and accordingly, no such limitation appears in the claims. Furthermore, as previously urged, the form of the card or ticket is not considered to be relevant. Rather, the relevant question involves the functions performed by the elements actually claimed, i.e., not the functions of the card,

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but the functions of the system as claimed. In that regard, the claims specify functional elements which are clearly taught for processing cards or other pieces of paper. Therein lies the basis for disclosure, not the ultimate function of the paper.

(C) **Interference**

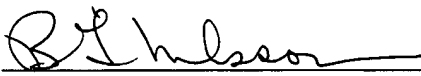
Applicant respectfully submits that the ultimate function for the card is irrelevant to the invention defined by the claims which is deemed to interfere with the substance of the Marshall patent '891. In view of the above considerations relating to 35 U.S.C § 112, reconsideration is respectfully requested with the view toward initiating an interference.

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Respectfully, Applicant urges the Examiner to reconsider the rejections in view of the above arguments.

Respectfully submitted,

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